

**Common Request for Proposals
for Underwriting Services and
Financial Advisors
April 19, 2016**



TABLE OF CONTENTS

Checklist.....3

Common Application Coversheet4

General Information6

 Section 1 - General Information.....6

 A. Corporation Description.....6

 B. Purpose.....8

 C. Key Events/Dates.....8

 Section 2 - Engagement Requirements9

 A. Overall Scope of Services9

 B. Specific Scope of Services.....9

 Section 3 - Content of Proposal11

 A. Information and Format.....11

 B. Engagement Standards; Rights of Corporation.....11

 Section 4 - Evaluation of Proposals.....12

 A. The Selection Process.....12

 B. Preliminary Review.....12

 C. Evaluation and Criteria for Selection12

 D. Interviews13

 Section 5 - Submission of Proposals.....13

 Section 6 - Important Information Affecting Proposers14

 A. Questions and Other Information.....14

 B. Corporation’s Requirements.....14

 C. Corporation’s Rights and Prerogatives.....15

 D. Non-Discrimination and Contractor & Supplier Diversity Requirements15

 Section 7 - Term of Engagement19

Part I - Qualifications20

Part II - Performance22

Part III - ESD Supplement: Additional Questions24

Part IV - ESD Supplement: Exhibits to Common RFP26

 1. Certification Concerning Independent Proposal

 2. Certification Pursuant to State Finance Law §139

 3. Certification Regarding Commission on Public Integrity

 4. Sales Tax Certification – Form ST-220-CA

 5. Diversity Practices Questionnaire

 6. Vendor Responsibility

 7. Insurance Requirements

 8. New York State Diversity Practices Scoring Matrix



Common Request for Proposals for Underwriting Services and Financial Advisors *Checklist*



CHECKLIST OF ITEMS TO BE COMPLETED AND RETURNED:

- Common Application Coversheet
- Part I – Qualifications
- Part II – Performance
- Part III – Corporation Supplement: Additional Questions to Common RFP
- Part IV – Corporation Supplement: Exhibits to Common RFP

1. Certification Concerning Independent Proposal
2. Certification Pursuant to State Finance Law § 139
3. Certification Regarding Commission on Public Integrity
4. Sales Tax Certification – Form ST-220-CA
5. Diversity Practices Questionnaire
6. Vendor Responsibility
7. Insurance Requirements
8. New York State Diversity Practices Scoring Matrix

For item 6 and 7, in addition to providing any required response, please acknowledge that you have read them and agree to comply with their terms.

Acknowledged by:

Name: _____

Title:



**Common Request for Proposals
for Underwriting Services and
Financial Advisors
*Common Application
Coversheet***



Attach this form to the top of your proposal.

POSITION(S) APPLYING FOR (a firm that checks the box for Financial Advisor may not check any other box for any other position):

- Senior Managing Underwriter
- Co-Managing Underwriter
- Selling Group Member
- Financial Advisor
-

DATE OF APPLICATION: _____

GENERAL INFORMATION ON FIRM:

Legal Name of Firm: _____

Firm's Mailing Address: _____

Firm's Website Address: _____

Firm's Main Telephone Number (including area code): _____

Federal Tax ID Number: _____

FINRA and/or SEC Registration Number: _____

Minority and/or Women Owned Business Enterprises ("MWBEs") Registration Number: _____

(For MWBE firms that are not certified but have applied for certification, please provide evidence of filing, including the filing date.)

Service-Disabled Veteran-Owned Business Enterprises ("SDVOBs") Registration Number: _____

(For SDVOBs that are not certified but have applied for certification, please provide evidence of filing, including the filing date.)

MAIN CONTACT INFORMATION FOR THIS PROPOSAL:

Please list the individual that will be the main contact regarding this proposal:

Contact Name: _____

Contact Telephone Number (including area code): _____

Contact E-mail Address: _____

Contact Facsimile Number (including area code): _____

PRIMARY STAFF CONTACT(S):

Identify the principals and the key personnel who will provide services relating to the Empire State Development ("ESD"). **Specify contacts for each role applied for if applying for more than one role.** Additional sheets, if necessary, may be added.

REQUESTED POSITION:

Contact #1

Contact Name: _____

Contact Telephone Number (including area code): _____

Contact E-mail Address: _____

Contact Facsimile Number (including area code): _____

Contact #2

Contact Name: _____

Contact Telephone Number (including area code): _____

Contact E-mail Address: _____

Contact Facsimile Number (including area code): _____

Contact #3

Contact Name: _____

Contact Telephone Number (including area code): _____

Contact E-mail Address: _____

Contact Facsimile Number (including area code): _____



Common Request for Proposals for Underwriting Services and Financial Advisors *General Information*



Section 1. General Information

A. Corporation Description

The New York State Urban Development Corporation (“UDC” or the “Corporation”), doing business as Empire State Development (“ESD”), is New York State’s primary economic development agency.

The mission of ESD is to promote a vigorous and growing state economy, encourage business investment and job creation, and support diverse, prosperous local economies across New York State through the efficient use of loans, grants, tax credits, real estate development, marketing and other forms of assistance. As an agency of the State, constituting a political subdivision and a public benefit corporation, ESD is tasked with providing the highest level of assistance and service to businesses to help create economic prosperity. ESD works in partnership with the public and private sectors to create an environment that spurs innovation and economic development while enhancing NYS’s competitive advantage as the world capital for many industries, ranging from finance and media to technology and agriculture.

To assist the Corporation in attaining its goals, the State Legislature has provided the Corporation with various statutory powers. Among these is the power to issue bonds; offer tax benefits to developers; and condemn real property and waive compliance, where appropriate, within certain local codes and laws. In addition, the Corporation provides financial assistance through tax credits and grants; low cost project financing, including loans and interest subsidy grants; and technical assistance in management, finance and project design.

ESD is one of five statewide entities that are empowered to issue or refund State-supported debt through the Personal Income Tax (“PIT”) Revenue Bond Program. PIT legislation also authorizes ESD to issue or refund bonds for any of the other four state entities authorized to issue PIT bonds. In addition to the periodic issuance of State-supported debt through the Personal Income Tax Revenue Bond Program and Service Contract Revenue Bond Program. ESD is also one of the three entities that can issue Sales Tax Revenue Bonds. ESD is also authorized to issue other non-State-supported bonds.

Additional programs may be financed with bonds issued by the Corporation during this engagement as required in the State’s capital plan and/or as needed by the Corporation (including subsidiaries and Local Development Corporations).

A comprehensive description of UDC may be found in the Official Statement of the Corporation’s State Personal Income Tax Revenue Bonds, Series 2016 A issued on March 17, 2016. JDA’s description can be found in the Official Statement of its bonds issued April 21, 2004.

Annual continuing disclosure statements including the Corporation’s financial statements are available through the Municipal Securities Rulemaking Board site (www.emma.msrb.org). Additional information regarding ESD is available on its web site (www.esd.ny.gov).

B. Purpose

ESD is seeking and accepting proposals from qualified firms, registered with FINRA and/or SEC, that wish to be considered to serve as 1) Senior Managing Underwriter, 2) Co-Managing Underwriter 3) Selling Group Member as well as 4) Financial Advisor (for non-State supported debt) in connection with the proposed future issuance of debt by ESD under existing credit structures as well as any new credit undertaken by ESD during the term of this engagement.

It is intended that through this RFP, one or more firms that are qualified will be selected for inclusion on ESD's Qualified List of Underwriters and Financial Advisors ("List"). ESD may add additional firms as Selling Group Members to its List at any time upon demonstration of satisfactory registration and other requirements.

By responding to this RFP, the proposer irrevocably waives all patent rights that may have been granted in the past or may be granted in the future in relation to any financing structure deployed by ESD.

C. Key Events/Dates

Provided below is the schedule for milestones in this RFP process, listed in order of occurrence. ESD reserves the right to change any or all of these dates as it deems necessary or convenient in its discretion. In the event of such a date change, a revised timeline will be posted to the ESD website <http://www.esd.ny.gov/CorporateInformation/RFPs.html>.

Issuance of RFP	April 19, 2016
RFP question deadline	May 3, 2016
RFP question response	May 11, 2016
Proposal due by	June 1, 2016 (4:00 PM EDST)
Interviews, if necessary (no later than)	June 20, 2016
Anticipated selection	August 2016

The RFP will also be posted to the above html, in addition to any subsequent changes, additions or deletions to the RFP or the above timeline dates. **Respondents should check the site frequently for any such clarifications, changes, additions or deletions to the RFP or timeline. It is the sole responsibility of the respondent to be knowledgeable of any such postings.**

Section 2. Engagement Requirements

A. Overall Scope of Services

The overall responsibilities of ESD's Underwriter(s) shall include:

1. Providing the most effective structuring, pricing and marketing of ESD's bonds to achieve the lowest cost of capital;
2. Identifying new strategies and initiatives which could be utilized by ESD to further enhance ESD's operation and the performance of ESD's programs as well as its overall goals;
3. Identifying refunding opportunities for ESD to reduce interest costs of its portfolios;
4. Supporting ESD bonds in the secondary market;
5. Providing other related services as requested by ESD from time to time;

For firms that are selected as a Senior Managing Underwriter, it is possible that not all Senior Managers will have the opportunity to serve as bookrunner within the cycle due to the limited number of negotiated bond offerings.

B. Specific Scope of Services

The successful firm(s) will:

1. As Senior Managing Underwriter, provide services including (but not limited to):
 - a. Structure and size bond issues;
 - b. Prepare cash flows and individual transaction cash flows for ESD's programs;
 - c. Prepare financing schedules, calendar of events, distribution lists and closing memos;
 - d. Prepare pricing memos discussing marketing conditions (including comparables) and preliminary pricing scales, syndicate rules, syndicate price views and marketing compensation;
 - e. Communicate with rating agencies;
 - f. Manage the underwriting process and provide advice on market timing and investor demand;
 - g. Conduct bond sale conference calls and coordinate information with the syndicate group;
 - h. Market and distribute bonds;

- i. Commit capital as required in underwriting ESD's bonds;
 - j. Provide post-closing analysis of debt issuances including pricing, orders, allotments, designations, etc.;
 - k. Provide support for the bonds in the secondary market;
 - l. Undertake certain market-related analysis of various financial products as may be requested by ESD;
 - m. Coordinate informational meetings with institutional investors, credit analysts, financial advisors and other public presentations as requested by ESD;
 - n. Participate in discussions with ESD, upon the occurrence of any unexpected events, such as the dislocation of the market due to international events or other market disruptions and assist ESD in developing strategic and tactical responses; and
 - o. Other services as requested from time to time.
2. As Co-Managing Underwriter, provide services including (but not limited to):
- a. Assist in marketing and distribution of bonds;
 - b. Commit capital as required in underwriting ESD's bonds;
 - c. Provide support for the bonds in the secondary market; and
 - d. Other services as requested from time to time.
3. As Financial Advisor (non-State-supported debt issuance), provide services including (but not limited to):
- a. For negotiated or competitively priced transactions, structure, advise and suggest ways to minimize debt service costs. For competitive transactions, the Financial Advisor will lead the entire bond issuance process;
 - b. Assist in the drafting, review and dissemination of relevant documents such as official statements, resolutions, closing memos, etc.;
 - c. Cause the furnishing, by mail or otherwise, of such disclosure materials as deemed appropriate to market bonds;
 - d. Develop marketing programs, including investor conferences and rating agency presentations;
 - e. Provide background or research materials as requested;
 - f. Assess ESD-held derivative instruments to determine the need to terminate such agreements and assist in the valuation of the termination; and
 - g. Other services as requested from time to time.

Section 3. Content of Proposal

A. Information and Format

There are three sections that proposers may respond to in this RFP. If your firm would like to be considered to serve as:

1. Senior Managing Underwriter or Co-Managing Underwriter or Financial Advisor for any of ESD's financings please respond to applicable questions in Parts I through III. The purpose of Part III is to provide a forum for Underwriter and Financial Advisor candidates to develop creative ideas regarding the issuance of bonds under ESD's financing programs.
2. Selling Group Members must be registered with FINRA and/or SEC, please provide such registration numbers (see Application on pg. 4 of this RFP) and respond to questions found in Part III C.

All responding firms must complete applicable sections in Part IV, Supplemental Exhibits.

Responses should be within the page limits indicated within Parts I through III, be single spaced in 11 point type or larger on 8½" x 11" paper.

In your response, provide the information in the same order in which it is requested. Your proposal must contain sufficient information to assure ESD of its accuracy.

B. Engagement Standards; Rights of Corporation

Underwriting and Financial Advisor - At the direction of ESD, the firm must be willing to partner with other firms, including Minority and Women-owned Business Enterprises (MWBEs) and Service-Disabled Veteran-Owned Businesses (SDVOBs). ESD encourages joint ventures of MWBE firms with majority firms and MWBE firms with other MWBE firms. ESD also may exercise its option to pair firms for specific programs or tasks.

Financial Information - As a condition of this engagement each firm may be required to update financial information prior to each appointment to a transaction as Senior Managing Underwriter, Co-Managing Underwriter or Financial Advisor. Firms will also be required to notify ESD when a significant change or impairment of financial position has occurred.

Syndicate/Firm Structures - ESD reserves the right to review performance, mergers, dissolutions, sales or similar reorganizations and reassign underwriters on the List to new roles at any time during the engagement. ESD may also fill vacancies from firms on the list or from firms subsequently established and/or staffed with individuals or teams who have performed services for ESD after being selected pursuant to this RFP.

Reports to ESD – Firms will be required to provide pricing information to ESD for each transaction for which they serve as Bookrunning Lead Managing Underwriter. In addition, for competitive transactions, firms will be required to provide information regarding the composition of the syndicate and the financial terms of syndicate participation. The Corporation strongly encourages the inclusion of MWBE firms in the syndicate for competitive transactions .

Section 4. Evaluation of Proposals

A. The Selection Process

The selection process will begin with the review and evaluation of each of the written proposals. The purpose of the evaluation is: (1) to examine the responses for compliance with this RFP, and (2) to identify the complying firms that have the highest probability of satisfactorily performing the scope of services. The evaluation will be conducted in a comprehensive and impartial manner as set forth herein.

B. Preliminary Review

ESD reserves the right to reject and return to the proposer all proposals received after the RFP due date and time. All proposals will be reviewed to determine if they contain all required submittals specified in this RFP. Incomplete proposals may be rejected.

C. Evaluation and Criteria for Selection

Proposals will undergo an evaluation process conducted by a committee of ESD staff members. The committee will evaluate the proposals based upon the following criteria:

- all information submitted in response to this RFP, including but not limited to:
 - experience
 - underwriter’s ability to structure and sell ESD’s bond issues
 - knowledge and technical expertise
 - capitalization
 - support of ESD bonds in the secondary market
 - diversity practices – respondents to the RFP will be evaluated for Diversity Practices using the NYS Diversity Practices Scoring Matrix (see Part IV, #8). Up to 5 percent of the score will be awarded based upon the contents of the Diversity Practices Questionnaire submitted by each Respondent to the RFP.

- interviews, if any, to clarify or expand on the response (see Section 4.D below);

D. Interviews

ESD reserves the right to determine whether interviews will be necessary. The purpose of the interview is to further document the proposer's ability to provide the required services, and to impart to the committee an understanding of how specific services will be furnished. The proposed engagement partner, as well as other key personnel proposed to provide the services, must be present and participate in the interview. The interview will be evaluated on the basis of whether it substantiates the characteristics and attributes claimed by the proposer in its written response to this RFP and any other information requested by the committee prior to the interview.

Section 5. Submission of Proposals

A proposer must submit six (6) hardcopies of its proposal and 2 (2) flash drives to ESD on or before the date/time specified in Section 1, part C.

Fax submissions will not be considered under any circumstances. Proposals received after the proposal date may be rejected and returned to the proposer.

All proposals and accompanying documentation will become the property of ESD and will not be returned. The content of each proposal will be held in strict confidence during the bid evaluation process, and no details of any proposal will be discussed outside the evaluation process. An official authorized to commit the company to a contract must sign the proposal.

Proposals should be marked "**Response to Request for Proposal for Underwriter Services and Financial Advisors**" and addressed to:

Edgar Camacho
Contract Administration
Empire State Development
633 Third Avenue, 35th Floor
New York, New York 10017

Section 6. Important Information Affecting Proposers

A. Questions and Other Information

1. All questions concerning this RFP must be emailed to the address listed below. Proposers or prospective proposers may not approach any ESD officer, employee, contractor or agent or any other State entity relative to this RFP.

E-mail: UnderwriterRFP@esd.ny.gov

All questions must be submitted no later than the date specified in Section 1, part C in writing by email citing the particular proposal section and paragraph number. Proposers should note that all clarifications and exceptions are to be resolved prior to submission of the proposal. A list of all substantive inquiries received, along with relevant responses, will be posted on ESD's website <http://www.esd.ny.gov/CorporateInformation/RFPs.html>

2. A proposer may withdraw or modify a proposal any time prior to the final due date and time by written notification, signed by an authorized agent, via email to the email address identified in Section 6.A.1 above. The proposal may thereafter be resubmitted, but not after the final due date and time. Modifications offered in any other manner, oral or written, will not be considered. ESD will not be liable for any costs incurred by a proposer in the preparation and production of a proposal and/or an interview.
3. If a proposer discovers an ambiguity, conflict, discrepancy, omission or other error in this RFP, the proposer should immediately notify ESD via the email address identified in Section 6.A.1 above. Notice of such error or omission should be submitted prior to the final due date and time for submission of proposals. Modifications shall be made by addenda to this RFP. Such clarifications shall be posted on ESD's website.
4. By responding to this RFP, the proposer indicates its acceptance of the provisions and conditions enumerated in this RFP. The proposer warrants and affirms that the terms of this RFP, and any resultant agreement, do not violate any contracts or agreements to which it is a party, and that its other contractual obligations will not adversely influence its capabilities to perform under the contract.

B. Corporation's Requirements

1. By submitting a proposal, the proposer covenants that it will not make any claims or have any right to damages because of any misinterpretation or misunderstanding of the specifications or because of lack of information.
2. ESD shall not be obligated to cover any cost incurred by the proposer in proposal preparation or in activities related to the review of this RFP or any interview costs.

3. Other than through the email identified in Section 6.A.1 above, or designee(s), prospective proposers shall not approach ESD employees during the period of this RFP process about any matters related to this RFP or any proposals submitted pursuant thereto.

C. Corporation's Rights and Prerogatives

ESD reserves the right to exercise the following prerogatives:

- To accept or reject any or all proposals and amend, modify or withdraw this RFP.
- To correct any arithmetic errors in the proposals.
- To change the proposal's due date or selection date upon appropriate notification (any notification would be posted on the ESD website).
- To accept or reject any of the firm's employees assigned to provide services on this project and to require their replacement at any time.
- To waive or modify any irregularities in proposals received after prior notification to the proposer. This will in no way modify the RFP documents or excuse the proposer from full compliance with its requirements.
- To consider modifications to proposals at any time before the award is made, if such action is in the best interest of ESD.
- To interview proposers prior to selection.
- To reject any proposal containing false or misleading statements or that provides references that do not support an attribute or condition claimed by the proposer.
- To negotiate the terms of the proposal with the selected proposer prior to commencing services. If negotiations cannot be concluded successfully with any selected proposer(s), ESD may negotiate with other proposers.
- To continually evaluate the performance of firms selected and take appropriate action based on its findings. For underwriters, evaluation criteria shall include, but not be limited to: transaction execution as determined by pricing, orders, allotments, compliance with Corporation policies concerning designations and furtherance of ESD's objectives.

D. Contractor Requirements and Procedures for Business Participation Opportunities for New York State Certified Minority- and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women

NEW YORK STATE LAW

Pursuant to New York State Executive Law Article 15-A and 5 NYCRR §§140-145 ESD recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of ESD contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether minority and women-owned business enterprises had a full and fair opportunity to participate in state contracting. The findings of the study were published on April 29, 2010, under the title “The State of Minority and Women-Owned Business Enterprises: Evidence from New York” (“Disparity Study”). The report found evidence of statistically significant disparities between the level of participation of minority- and women-owned business enterprises in state procurement contracting versus the number of minority- and women-owned business enterprises that were ready, willing and able to participate in state procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the statewide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that ESD establishes goals for maximum feasible participation of New York State Certified minority- and women – owned business enterprises (“MWBE”) and the employment of minority groups members and women in the performance of New York State contracts.

Business Participation Opportunities for MWBEs

For purposes of this solicitation, ESD hereby establishes an overall goal of 30% for MWBE participation for New York State certified minority-owned business enterprise (“MBE”) and New York State certified women-owned business enterprise (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). A contractor (“Contractor”) on the subject contract (“Contract”) must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and the Contractor agrees that ESD may withhold payment pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com>. For guidance on how ESD will determine a Contractor’s “good faith efforts,” refer to 5 NYCRR §142.8.

In accordance with 5 NYCRR §142.13, the Contractor acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and ESD may withhold payment from the Contractor as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a bid or proposal, a bidder on the Contract (“Bidder”) agrees to demonstrate its good faith efforts to achieve its goals for the utilization of MWBEs by submitting evidence thereof through the New York State Contract System (“NYSCS”), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that a Bidder may arrange to provide such evidence via a non-electronic method by contacting ESD’s Office of Contractor and Supplier Diversity (OCSD) at OCSD@ESD.NY.GOV. Please note that the NYSCS is a one stop solution for all of your MWBE and Article 15-A contract requirements. For additional information on the use of the NYSCS to meet Bidder’s MWBE requirements please see the attached MWBE guidance, “Your MWBE Utilization and Reporting Responsibilities Under Article 15-A.”

Additionally, a Bidder will be required to submit the following documents and information as evidence of compliance with the foregoing:

- A. An MWBE Utilization Plan (Form OCSD-4) with their bid or proposal. Any modifications or changes to the MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to ESD.

ESD will review the submitted MWBE Utilization Plan and advise the Bidder of ESD's acceptance or issue a notice of deficiency within 30 days of receipt.

- B. If a notice of deficiency is issued, the Bidder will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to ESD, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by ESD to be inadequate, ESD shall notify the Bidder and direct the Bidder to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

ESD may disqualify a Bidder as being non-responsive under the following circumstances:

- a) If a Bidder fails to submit a MWBE Utilization Plan;
- b) If a Bidder fails to submit a written remedy to a notice of deficiency;
- c) If a Bidder fails to submit a request for waiver; or
- d) If ESD determines that the Bidder has failed to document good faith efforts.

The Contractor will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to ESD, but must be made no later than prior to the submission of a request for final payment on the Contract.

The Contractor will be required to submit a Contractor's Quarterly M/WBE Contractor Compliance & Payment Report to the ESD, by the 10th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

Equal Employment Opportunity Requirements

By submission of a bid or proposal in response to this solicitation, the Bidder/Contractor agrees with all of the terms and conditions of Appendix A – Standard Clauses for All New York State Contracts including Clause 12 - Equal Employment Opportunities for Minorities and Women. The Contractor is required to ensure that it and any subcontractors awarded a subcontract over \$25,000 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work"), except where the Work is for the beneficial use of the Contractor, undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of

compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

The Bidder will be required to submit a Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement, Form OCSD-1, to ESD with their bid or proposal.

To ensure compliance with this Section, the Bidder will be required to submit with the bid or proposal an Equal Employment Opportunity Staffing Plan (Form OCSD-2) identifying the anticipated work force to be utilized on the Contract. If awarded a Contract, Bidder shall submit a Workforce Utilization Report (Form OCSD-3) and shall require each of its Subcontractors to submit a Workforce Utilization Report, in such format as shall be required by ESD on a quarterly basis during the term of the contract.

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

Form OCSD-1

http://esd.ny.gov/CorporateInformation/Data/RFPs/OCSD_1MWBEEEOPolicyStatement.pdf

Form OCSD-2

http://esd.ny.gov/CorporateInformation/Data/RFPs/OCSD_2StaffingPlan.pdf

Form OCSD-3

http://esd.ny.gov/CorporateInformation/Data/RFPs/OCSD_WorkforceUtilizationReport.xlsx

Form OCSD-4

http://esd.ny.gov/CorporateInformation/Data/RFPs/OCSD_4MWBEUtilizationPlan.pdf

In the event that the above links are unavailable or inactive, the forms may also be requested from ESD's Office of Contractor & Supplier Diversity ("OCSD") at OCSD@ESD.NY.GOV.

Diversity Practices

ESD has determined, pursuant to New York State Executive Law Article 15-A, that the assessment of the diversity practices of Respondents is practical, feasible, and appropriate. Accordingly, respondents shall be required to include as part of their response to this procurement the Diversity Practices Questionnaire (See Exhibit 5).

Service-Disabled Veteran-Owned Businesses

Article 17-B of the Executive Law enacted in 2014 acknowledges that Service-Disabled Veteran-Owned Businesses (SDVOBs) strongly contribute to the economies of the State and the nation. As defenders of our nation and in recognition of their economic activity in doing business in New York

State, respondents for this contract for commodities, services or technology are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles. SDVOBs can be readily identified on the directory of certified businesses at: http://ogs.ny.gov/Core/docs/CertifiedNYS_SDVOB.pdf

Respondents need to be aware that they will be strongly encouraged to the maximum extent practical and consistent with legal requirements of the State Finance Law and the Executive Law to use responsible and responsive SDVOBs in purchasing and utilizing commodities, services and technology that are of equal quality and functionality to those that may be obtained from non-SDVOBs. Furthermore, Respondents are reminded that they must continue to utilize small, minority and women-owned businesses consistent with current State law.

For purposes of the RFP, ESD hereby establishes a goal of 3% for SDVOBs, based on the current availability of qualified SDVOBs. The Contractor must document Good Faith Efforts to provide meaningful participation by SDVOBs in the performance of the Contract.

A copy of each Respondent's SDVOB Contract Performance Use form proposing specific certified firms to be utilized or industries where SDVOB firms shall be sought is to be included as part of the response to this RFP. A copy of the form is available at: <http://esd.ny.gov/CorporateInformation/Data/RFPs/SDVOBContractPerformanceUse.pdf>

General inquiries or questions relating to aforementioned policies, MWBE and SDVOB participation and the goals specified herein may be addressed to OCSD at OCSD@ESD.NY.GOV.

Section 7. Term of Engagement

The term will run for an initial two year period. ESD, at its discretion, may exercise an option to extend the engagement period for three additional one year terms. **Selection does not guarantee a minimum number of transactions, or any transaction, with ESD.**



Common Request for Proposals for Underwriting Services and Financial Advisors *Part I - Qualifications*



Please limit your response to 5 pages (excluding resumes). Please respond only to those questions or sections of questions that pertain to the position you are seeking.

1. Briefly describe your firm's qualifications to serve as a Senior Managing Underwriter, Co-Managing Underwriter or Financial Advisor for an ESD bond issuance. Your response should include:
 - a. a brief description of your firm and its organizational structure including a list of business lines in which your firm engages in addition to public finance;
 - b. the ownership structure of the firm and, if applicable, your firm's long term ratings for 2013, 2014, and 2015 and a description of any events that may have caused any of the rating agencies to change their rating or outlook;
 - c. the firm's capital structure and leveraging practices, including total capital, equity capital, uncommitted excess net capital, underwriting capacity and your firm's most recent audited financial statements and FOCUS Report; ***(Underwriters Only)*** and
 - d. an explanation of any short term financing currently used, including credit lines to support underwritings. ***(Underwriters Only)***
2. Discuss your firm's commitment to public finance. Have there been any changes in the firm's municipal finance department staffing or staffing policy in 2013, 2014 and 2015? If so, please discuss how these changes may affect coverage of ESD. Include the number of staff members assigned to investment banking, underwriting, sales, and trading during this period. Also include resumes of all pertinent staff and describe how you would utilize your firm's capital and human resources to serve ESD.
3. Discuss your firm's capital commitment to public finance ***(Underwriters Only)***. Your response should include:
 - a. How much uncommitted excess net capital is allocated to public finance in the current year?
 - b. How much uncommitted excess net capital was allocated to support public finance operations in 2013, 2014 and 2015?

- c. Please briefly discuss several examples of transactions and circumstances where your firm used its capital to provide critical support for the sale and distribution of bonds during 2013, 2014 and 2015.
 - d. A list of the three largest positions your firm has taken into inventory during the last six months when your firm was senior manager on a transaction? Please include in your response the total par amount of the issue, the total amount of unsold bonds, the type of bonds (e.g. tax supported, appropriation, revenue).
4. ESD is committed to increasing the utilization of MWBE and SDVOB firms, including underwriters and financial advisors. Describe your firm's supplier diversity program and activities. Please share any ideas you may have for MWBE and SDVOB joint venture partnerships or other initiatives which would increase ESD utilization.
5. Discuss your firm's presence in New York State including any offices maintained in the State, the number of staff employed in the state and the number of staff covering ESD who are employed in the state. Include in your discussion how your firm's current New York State footprint has changed in 2013, 2014, and 2015. In addition, describe the firm's commitment to New York State, including local procurement of goods and services, development or participation in internship programs or scholarships and corporate philanthropy.
6. Provide ESD with a list and description of any proceedings known of or pending by any governmental authority against your firm, including but not limited to, any pending or anticipated proceedings, rule or order relating to a violation or alleged violation by your firm of any federal or state statute or regulation pertaining to the underwriting or sale of securities, the provision of investment advisory services or the issuance of securities. Provide a list of all sanctions and/or fines imposed on your firm during the last 24 months in connection with any proceeding of the type described in the proceeding sentence. Also provide ESD with a list and description of any pending or anticipated proceedings by private parties against your firm (individually or in the aggregate) that your firm has determined may have a material adverse impact on the current financial status or operations of the firm.
7. Disclose any existing or contemplated relationship with any other person or entity, including relationships with any parent, subsidiary or affiliated firm, which would constitute an actual or potential conflict of interest in connection with your rendering services detailed in this RFP. If a conflict does or might exist, please describe how your firm would resolve the conflict.



Common Request for Proposals for Underwriting Services and Financial Advisors *Part II - Performance*



Please limit your response to 5 pages. For firms seeking Senior Manager or Co-Manager position, please respond to all questions noted below. Financial Advisors: please respond only to Questions 1 and 4.

1. List your firm's or key principal's combined experience as Senior Managing Underwriter, Co-Managing Underwriter, Financial Advisor for NYS appropriation-backed bonds, or comparable financing programs in other jurisdictions in 2013, 2014, and 2015. Please limit your response to four examples. Provide the following information where applicable for each financing (information should be provided in tabular form in an appendix which will not be counted against page limit):
 - a. Name of issuer
 - b. Size and title of issue
 - c. Date of issue
 - d. Rating
 - e. Role of firm (senior manager, co-manager or financial advisor)
 - f. Total volume of sales compared to orders placed; that is, actual "going away" orders
 - g. Role in an investor education presentation, if any
 - h. Investment banker and underwriter responsible at your firm
 - i. Financial advisor to issuer, if applicable
 - j. Method and type of sale (negotiated or competitive, variable or fixed, new money or refunding)
 - k. Three issuer references (include name of individual, title, name of firm, email address and telephone number)

For each financing mentioned, describe any unique contribution your firm or principals have made to the transaction and how the issuer benefited. Elaborate on any innovations developed by your firm or principals or any special marketing efforts undertaken by the firm for such financings. ***(Financial Advisors should also respond)***

2. If your firm is currently serving as a senior managing underwriter, a co-managing underwriter member or selling group member in ESD's management team, pertaining to ESD's PIT Bond 2016A, discuss your sales performance, in particular, your orders placed, allotments received and/or distributed. Also please describe the efforts of your firm to support ESD's bond issues in the secondary market. If your firm has not served as senior managing underwriter or a co-managing underwriter in ESD's management team, discuss the issues noted above with respect to similar credits for other issuers and how these experiences relate to ESD's bonds.
3. Discuss the firm's bond distribution capabilities, both institutional and retail, in detail. Include any significant increases or decreases in the number of employees devoted specifically to distribution in 2013, 2014, and 2015 or any planned in the near future. Please describe how your firm's bond distribution capabilities have served ESD or similar credits for other issuers in that period.
4. Discuss any recommendations you have regarding how ESD markets and sells its bonds. Discuss how ESD can expand its retail marketing efforts. Also discuss any strategies you might have to expand ESD's institutional distributions. Recommend specific marketing approaches ESD should employ in the short and long term to distinguish its bonds from other issuers. ***(Financial Advisors should also respond)***
5. Discuss your firm's participation in ESD's competitive bond sales over the past three years. In addition, include a discussion of your firm's participation in the State's competitive bond sales over the past three years.
6. Using the Municipal Market Data AAA/Aaa G.O. Yield Curve ("MMD") and any other market indicators, please analyze your firms' past ESD bookrunner assignments (or members of your team while at a prior firm) and compare them to two ESD State-supported debt financings issued since January 2013. Be sure to explain any positive or negative deviations from the average MMD over the period. Also, discuss the role compensation played in obtaining the optimal price for the transaction. If you have not served in a bookrunning role for ESD, analyze and rank the results for two ESD State-supported debt financings issued since January 2013. Include in the analysis an assessment of the debt structure, pricing and market conditions. In addition, please provide your evaluation of the pricing efficiency of ESD's two State-supported debt financings based on the secondary market trading performance during the seven days following the pricing of the transaction.



**Common Request for Proposals
for Underwriting Services and
Financial Advisors
*Part III – ESD Supplement:
Additional Questions***



- A. Additional Questions for: Underwriters please respond to all questions; Financial Advisors please only respond to questions 1 thru 4. Please limit all responses to 5 pages.**
1. Describe any new or pending legislation or financing ideas, that your firm could assist ESD in implementing, to fulfill its economic development goal.
 2. What are the major economic, regulatory and policy trends that will affect ESD's operations in the next two years? What steps, if any, can ESD take to limit any negative impact?
 3. Please list the engagements since January 1, 2013 where your firm has either been replaced or resigned.
 4. Describe any additional factors which you believe are important in considering the inclusion of your firm as a syndicate member.
 5. Provide any ideas or strategies that you have regarding ESD's state-supported debt programs that could benefit the State.
 6. Retail investor participation continues to play a significant role in ESD's bond sales. What specific steps, if any, should ESD take to expand their retail marketing efforts? Additionally, what strategies would your firm employ to expand institutional distribution of ESD's bonds?
- B. FINANCIAL ADVISOR QUESTIONS (1 page limit):**
1. Outline the services your firm would provide to the Corporation on both competitive and negotiated transactions for non-State-supported bonds. Provide examples, relevant to the Corporation, of the way in which your firm has reduced borrowing cost, devised advantageous structures or otherwise added value for current client(s) in specific transaction(s).

C. SELLING GROUP QUESTIONS (4 page limit):

Section A - Qualifications

1. Discuss your firm's qualifications to serve ESD as a selling group participant, including the following:
 - a. Experience with selling the Corporation's bonds or similar credits;
 - b. Capital structure, including total capital, equity capital, uncommitted excess net capital, and your firm's most recent audited financial statements;
 - c. Ownership structure.
2. Describe the structure of your firm and the relationship among investment banking, underwriting and sales.
3. Describe the team that would service the Corporation's account and include brief biographies of key personnel only.
4. Discuss your firm's policy regarding affirmative action and opportunity programs. Discuss your firm's status as a minority and/or women-owned business enterprise, if applicable.
5. Provide the Corporation with a description of any legal proceedings known of or pending by government authorities or private parties in which your firm is a party or is expected to be a party.

Section B – Sales Performance

1. Discuss your firm's distribution capabilities (both institutional and retail) in detail.
2. Demonstrate how your firm supports the Corporation in the primary and secondary markets.
3. If your firm has served in the Corporation's syndicate, discuss your sales performance.
4. Discuss any recommendations you have regarding how the Corporation markets and sells its bonds.



**Common Request for Proposals
for Underwriting Services and
Financial Advisors
*Part IV – ESD Supplement:
Exhibits to Common RFP***



Except as instructed below, for the following items, please complete and return with your proposal:

1. Certification Concerning Independent Proposal
2. Certification Pursuant to State Finance Law §139
3. Certification Regarding Commission on Public Integrity
4. Sales Tax Certification – Form ST-220-CA
5. Diversity Practices Questionnaire
6. Vendor Responsibility
7. Insurance Requirements
8. New York State Diversity Practices Scoring Matrix



**Common Request for Proposals
for Underwriting Services and
Financial Advisors**

***Part IV – ESD Supplement:
1. Certification Concerning
Independent Proposal***



(Name of Firm)

hereby certifies as follows in connection with our Proposal for Underwriting Services for the position of:

- A. Except as described below, we have prepared our Proposal independently, without consultation, communication, or agreement as to any matter with any other proposer to the RFP or with any competitor.
- B. Except as described below, we have not disclosed our Proposal and, unless otherwise required by law, will not disclose our Proposal prior to award, either directly or indirectly, to any other firm or to any competitor.
- C. Except as described below, we have made no attempt and will make no attempt to induce any other person or firm to submit or not to submit a Proposal.
- D. Except as described below, there are no fee splitting arrangements, finder’s fees, consulting arrangements or any other financial arrangement in connection with this proposal or the subsequent transactions contemplated by this proposal.

Exceptions if any:

Signature of Authorized Officer

Date

Name of Authorized Officer

Title



**Common Request for Proposals
for Underwriting Services and
Financial Advisors
Part IV – ESD Supplement:
2. Certification Pursuant to State
Finance Law §139**



This form shall be completed and submitted with your proposal. Failure to complete and submit this form may result in a determination of non-responsiveness and disqualification of the proposal.

I. Affirmation relating to procedures governing permissible contacts:

(Proposer must check applicable box)

Proposer: affirms does not affirm

that it understands and has to date and agrees hereinafter to comply with the Corporation's procedures relative to permissible contacts for this procurement as required by State Finance Law §139-j (3) and §139-j (6) (b).

II. Disclosure of Findings of Non-Responsibility and Prior Contract Terminations or Withholdings under the 2005 Procurement Lobbying Law:

1. Has any "governmental entity," as defined by State Finance Law §139-j and §139-k, made a finding in the last four years that the firm was not responsible?

No Yes

2. If yes, was the basis for any such finding(s) the intentional provision of false or incomplete information required by State Finance Law §139-j and §139-k, and/or the failure to comply with the requirements of State Finance Law §139-j (3) relating to permissible contacts?

No Yes

If yes, please provide details regarding each finding of non-responsibility below. (Attach additional pages, if necessary)

Governmental Entity: _____

Date of Finding: _____

Basis of Finding: _____

3. Has any “governmental entity” as defined in State Finance Law § 139-j and § 139-k terminated or withheld a procurement contract with the firm due to the intentional provision of false or incomplete information required by such Laws and/or the failure to comply with the requirements of State Finance Law § 139-k(3) relating to permissible contacts?

No

Yes

If yes, please provide details below. (Attach additional pages, if necessary)

Governmental Entity:

Date of Termination or Withholding of Contract:

Basis of Termination or Withholding of Contract:

The undersigned acknowledges and states that all information provided to the Corporation with respect to State Finance Law § 139-j and § 139-k is complete, true and accurate.

Signature of Authorized Officer

Date

Name of Authorized Officer

Date

Title

Address



**Common Request for Proposals
for Underwriting Services and
Financial Advisors
Part IV –ESD Supplement:
3. Certification Regarding
Commission on Public Integrity**



The New York Temporary State Commission on Lobbying and the New York State Ethics Commission has merged and are now the New York State Commission on Public Integrity. Has your firm, or any of the members discussed in your proposal, been the subject of any investigation or disciplinary action by the New York State Ethics Commission New York Temporary State Commission on Lobbying or the New York State Commission on Public Integrity?

Yes [] No []

If yes, please describe briefly how any matter was resolved or whether it remains unresolved:

Certification

The undersigned personally does hereby state and certify to the Empire State Development that the information given above is true, accurate and complete.

By: _____
(Signature)

By: _____
(Name of Officer)

Title: _____

Firm's Legal Name: _____

Date: _____



Common Request for Proposals for Underwriting Services and Financial Advisors *Part IV – ESD Supplement:* *4. Sales Tax Certification*



The Tax Law was amended to require contractors with state agencies to certify to the Department of Taxation and Finance (DTF) that they, their affiliates, their subcontractors and the affiliates of the subcontractors have a valid certificate of authority to collect New York State and local sales and compensating-use taxes. Tax Law Section 5-a applies to all contracts in excess of \$100,000 for the purchase by a covered agency of commodities or services, awarded pursuant to Article XI of the State Finance Law.

For submission to the Corporation, **Contractors must complete Contractor Certification Form ST-220-CA, a required document to be provided by the contractor to the procuring agency before a contract may take effect.** This certification to the procuring agency, also made under penalty to perjury, states that the requisite (ST-220-TD) certification has been made to DTF and, to the best of the contractor's knowledge, that the requisite (ST-220-TD) certification is correct and complete.

If a contractor has any questions regarding either forms, ST-220-CA or ST-220-TD, the New York State Comptroller G Bulletin will provide background information and necessity of both forms (<http://www.osc.state.ny.us/agencies/gbull/g222a.htm>).

Contractors can refer to the Department of Taxation and Finance website, or the NYS Tax Law, Section 5-a, Contractor Affiliate, Subcontractor, and Subcontractor Affiliate Sales and Compensating Use Tax Registration for additional information and guidance.



**Common Request for Proposals
for Underwriting Services and
Financial Advisors**



***Part IV – ESD Supplement:
5. Diversity Practices
Questionnaire***

I, _____, as _____ (title) of _____ firm or company (hereafter referred to as the company), swear and/or affirm under penalty of perjury that the answers submitted to the following questions are complete and accurate to the best of my knowledge:

1. Does your company have a Chief Diversity Officer or other individual who is tasked with supplier diversity initiatives? Yes or No

If Yes, provide the name, title, description of duties, and evidence of initiatives performed by this individual or individuals.

2. What percentage of your company's gross revenues (from your prior fiscal year) was paid to New York State certified minority and/or women-owned business enterprises as subcontractors, suppliers, joint-venturers, partners or other similar arrangement for the provision of goods or services to your company's clients or customers?

3. What percentage of your company's overhead (i.e. those expenditures that are not directly related to the provision of goods or services to your company's clients or customers) or non-contract-related expenses (from your prior fiscal year) was paid to New York State certified minority- and women-owned business enterprises as suppliers/contractors?¹

4. Does your company provide technical training² to minority- and women-owned business enterprises? Yes or No

If Yes, provide a description of such training which should include, but not be limited to, the date the program was initiated, the names and the number of minority- and women-owned business enterprises participating in such training, the number of years such training has been offered and the number of hours per year for which such training occurs.

5. Is your company participating in a government approved minority- and women-owned business enterprise mentor-protégé program?

If Yes, identify the governmental mentoring program in which your company participates and provide evidence demonstrating the extent of your company's commitment to the governmental mentoring program.

¹ Do not include onsite project overhead.

² Technical training is the process of teaching employees how to more accurately and thoroughly perform the technical components of their jobs. Training can include technology applications, products, sales and service tactics, and more. Technical skills are job-specific as opposed to soft skills, which are transferable.

6. Does your company include specific quantitative goals for the utilization of minority- and women-owned business enterprises in its non-government procurements? Yes or No

If Yes, provide a description of such non-government procurements (including time period, goal, scope and dollar amount) and indicate the percentage of the goals that were attained.

7. Does your company have a formal minority- and women-owned business enterprise supplier diversity program? Yes or No

If Yes, provide documentation of program activities and a copy of policy or program materials.

8. Does your company plan to enter into partnering or subcontracting agreements with New York State certified minority- and women-owned business enterprises if selected as the successful respondent? Yes or No

If Yes, complete the attached Utilization Plan

All information provided in connection with the questionnaire is subject to audit and any fraudulent statements are subject to criminal prosecution and debarment.

Signature of
Owner/Official

Printed Name
of Signatory

Title

Name of
Business

Address

City, State, Zip

STATE OF _____

COUNTY OF _____) ss:

On the _____ day of _____, 201_, before me, the undersigned, a Notary Public in and for the State of _____, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to this certification and said person executed this instrument.

Notary Public



**Common Request for Proposals
for Underwriting Services and
Financial Advisors
*Part IV – ESD Supplement:
6. Vendor Responsibility***



ESD encourages vendors to register in the State's Vendor Responsibility System (VendRep System). The VendRep System allows business entities to enter and maintain their Vendor Responsibility Questionnaire information in a secure, centralized database. New York State Procurement Law requires that state agencies award contracts only to responsible vendors. Vendors are invited to file the required Vendor Responsibility Questionnaire online via the New York State VendRep System or may choose to complete and submit a paper questionnaire. To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at www.osc.state.ny.us/vendrep or go directly to the VendRep system online at <https://portal.osc.state.ny.us>. For direct VendRep System user assistance, the OSC Help Desk may be reached at 866-370-4672 or 518-408-4672 or by email at helpdesk@osc.state.ny.us.

Vendors opting to file a paper questionnaire can obtain the appropriate questionnaire from the VendRep website http://www.osc.state.ny.us/vendrep/forms_vendor.htm and execute accordingly pertaining to the company's trade industry.



**Common Request for Proposals
for Underwriting Services and
Financial Advisors
*Part IV – ESD Supplement:
7. Insurance Requirements***



Insurance Requirements

Selected firms will be subject to compliance with applicable ESD insurance requirements.



**Common Request for Proposals
for Underwriting Services and
Financial Advisors**



**Part IV – ESD Supplement:
8. NYS Diversity Practices Scoring
Matrix**

New York State Diversity Practices Scoring Matrix

Questions

Questions					Yes	No	Total
Q1 - CDO or other person tasked with function					5 pts	0 pts	
Q2 - Percentage of prior yr. revenues that involved M/WBEs as subs or JVs/partners	20%+ 20 pts	15-19% 14 pts	10-14% 10 pts	5-9% 6 pts	1-4% 2 pts	0% 0pts	
Q3 - Percentage of overhead expenses paid to M/WBEs	20%+ 16 pts	15-19% 10 pts	10-14% 7 pts	5-9% 4 pts	1-4% 1 pts	0% 0pts	
Q4 - M/WBE Training			Robust 16 pts	Moderate 8 pts	Minimum 4 pts	None 0 pts	
Q5 - M/WBE Mentoring			Robust 12 pts	Moderate 8 pts	Minimum 4 pts	None 0 pts	
Q6 - Written M/WBE goals included in the Company's procurements			Robust 20 pts	Moderate 12 pts	Minimum 6 pts	No 0 pts	

New York State Diversity Practices Scoring Matrix

Q7 - Formal Supplier Diversity Program			Robust	Moderate	Minimum	No	
			6 pts	4 pts	2 pts	0 pts	
Q8 - Utilization Plan			Robust	Moderate	Minimum	No	
			5 pts	3 pts	1 pts	0 pts	
Total Diversity Score (Max 100 pts)							
Weighted Score							